



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Regional Field Office No.5
San Agustin, Pili, Camarines Sur, 4418
<http://bicol.da.gov.ph>

BIDS AND AWARDS COMMITTEE

October 25, 2021

SHERIDAN MARKETING INC.

Camaligan, Camarines Sur

NOTICE OF RESOLUTION DENYING REQUEST FOR CONSIDERATION

(Supply, Delivery and Installation of 5 units Solar Powered Irrigation System)

Dear Sir/Madam:

During the bid opening of the above procurement projects conducted by the BAC of this Agency, **SHERIDAN MARKETING INC.** is declared ineligible due to the failure of the aforesaid bidder to attach a valid *committed Line of Credit*, instead the document was a Certification for the existence of a Line of Credit.

SHERIDAN MARKETING INC. filed its Motion for Reconsideration (MR) dated October 21, 2021, and received by the office on the same day. The MR stated the following: (1) that the *Bank Certification* issued by the Bank of the Philippines under the bidder's name is sufficient evidence that the bidder can sustain the operating cash flow of the transaction; (2) that the Bidding Documents does not specify the correct format or template for the said *committed Credit Line*; and (3) that the "*Bank Disclaimer*" was always in favor of their institution and has no fixed value thus cannot be guaranteed by the bank, and with the attached *Bank Certification* effective October 20, 2021, there is assurance to the credit line.

After careful deliberation, the BAC resolved that:

The Invitation to Bid for the above-quoted procurement project had specified the documentary requirements that should be submitted together with the bidder's bid proposal. The financial document, *committed Line of Credit* is one of the said requirements, and as such, said valid documents should be presented during the opening of the bidder's proposal. However, **SHERIDAN MARKETING INC.** has attached a *Bank Certification* that does not conform with the requirements under the ITB, Sec. VIII.I (1): "[t]he prospective bidder's computation of Net Financial Contracting Capacity (NFCC); or A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation."

In this regard, bare assertions of the validity of the document and its compliance with the specifications prescribed is not sufficient. The *committed Credit Line* contemplated under 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, although it has no prescribed form, must be effective or available on the date of the bid submission, however, the Certification attached is dated August 5, 2021, and not the October 20, 2021 as claimed by the MR, and, in fact, disclaims any guarantee to the effectivity and availability of said credit line on the date of submission. Moreover, absent in the certification is the confirmation that the credit line is committed or specifically issued for the specific project, nor it mentioned the specific name of the Agency to which it is committed. Thereby, failing to attach the proper documents in their submitted bid.